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IN THE HON'BLE HIGH COURT OF CHHATTISGARH

AT : BILASPUR

M.A. NO. 130 OF 2003.

APPELLANTS
APPLICANTS

1. Smt. Sunita Namdeo, aged 28 years,
wife of late Shri Santosh Namdeo,
2. Shubham Kumar Namdeo, aged 5 years,
son of late Shri Santosh Namdeo,
3. Kumari Mohaniya Namdeo, aged 2 years,
daughter of late Shri Santosh Namdeo,

Appellant no. 2 and 3 are minors
through their natural guardian, the mother,
Smt. Sunita Namdeo wife of late Shri
Santosh Namdeo, the above appellant, all
residents of village Siwni, Police Station
and Tehsil - Champa, District - Janjgir -
Champa (Chhattisgarh)

V E R S U S

RESPONDENTS :
NON - APPLICANTS

1. Santosh Sonwani, aged 22 years,
son of Shri Badku Ram Sonwani,
Driver, resident of Bhatapara
Janjgir, Tehsil - Janjgir, District
Janjgir - Champa (Chhattisgarh)
2. Amolak Singh Bhatiya, aged 55 years, son
of Shri Harbansh Singh Bhatiya, resident of
Dayalband Bilaspur, Tehsil and District -
Bilaspur (Chhattisgarh)
3. The Oriental Insurance Company Limited,
Branch Office - Dayalband Bilaspur (C.G.)

APPEAL UNDER SECTION 173 OF THE MOTOR

(19)

HIGH COURT OF CHHATTISGARH : BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL NO. 130 of 2003

Appellants :

Smt Sunita Namdev & ors.

Versus

Respondents:

Santosh Sonwani & others

(Arising out of Claim Case No. 21 of 2000)

03.03.2007

Appellant No.1 - Smt Sunita Namdev in person with and others by Shri Tej Prakash Jaiswal, Advocate.

None for respondents No.1 & 2.

Shri Yogesh Vithalani, Divisional Manager, Oriental Insurance Company with Shri AK Athaley, counsel for respondent No.3.

Smt Sunita Namdeo (Appellant No.1) filed an application along with affidavit for according permission to enter into compromise on behalf of the minor appellants No.2 & 3 with Insurance Company.

Not opposed.

Considered. Allowed.

In terms of compromise, award is passed as below:-

- 1) In addition to compensation already awarded by the Tribunal, respondent No.3 shall pay Rs.1,28,000/- (Rupees one lakh twenty eight thousand) to the appellants.
- 2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
- 3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
- 4) Appellants shall be entitled to receive interest on the amount so deposited, if any.
- 5) In view of the above, appeal against respondents No.1 & 2 stands dismissed.
- 6) Out of the above amount, Rs. 1,280/- (Rupees one thousand two hundred and eighty) shall be paid to counsel for the appellants directly by the Insurance Company towards counsel fee.
- 7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
- 8) Copy of the award shall be given to the parties free of cost.

Sd/-

Justice Vijay Kumar Shrivastava
High Court of Chhattisgarh
Bilaspur

Sd/-

Member - Lok Adalat
High Court of Chhattisgarh
Bilaspur